

Staff Report

San Luis Obispo County Airport Land Use Commission

DATE: May 17, 2006

TO: AIRPORT LAND USE COMMISSION

FROM: BILL ROBESON, COUNTY PLANNING AND BUILDING

REFERRING AGENCY: CITY OF SAN LUIS OBISPO:
Jaime Hill, Planner; Applicant, Housing Authority of San Luis
Obispo County; City File Numbers: GP/R ER2 27-06.

SUBJECT: A MANDATORY REFERRAL FOR DETERMINATION OF CONSISTENCY OR INCONSISTENCY FOR A GENERAL PLAN AMENDMENT AND REZONING PROJECT. THE SITE TOTALS 7.21 ACRES AND IS CURRENTLY ZONED MANUFACTURING (M) AND IS PROPOSED TO CHANGE TO MEDIUM HIGH DENSITY RESIDENTIAL WITH A SPECIAL CONSIDERATIONS OVERLAY (R-3-S).

THE SITE IS LOCATED AT 851 AND 860 HUMBERT AVENUE (SEE ATTACHED VICINITY MAP) INSIDE THE CITY OF SAN LUIS OBISPO AND IS LOCATED IN SAN LUIS OBISPO COUNTY REGIONAL AIRPORT LAND USE PLAN - SAFETY AREA S- 2.

RECOMMENDATION

Recommend a determination of Consistency to the City of San Luis Obispo for the rezoning of the 7.21acre site shown on the site plans in the Staff Report submitted based on the following:

Finding: The rezoning of the subject parcels is consistent with the San Luis Obispo County Regional Airport Land Use Plan (ALUP) because the maximum density of residential development proposed (78 dwellings) will not exceed the limitations provided by Table 9 (7.21x 12 d.u.per acre = 86 maximum) of the ALUP and all other applicable ALUP policies are satisfied.

PROJECT DESCRIPTION

Proposal: Mandatory referral for determination of a change in zoning. The intent of the General Plan Amendment and Rezone is to develop the site with affordable housing units, including owner-occupied and rental units.

San Luis Obispo County Regional Airport Plan

Airport Land Use Area: The site for the proposed rezone is located in Safety Area S-2; the site is outside all Airport Noise Contours and is under the Right Crosswind Departure, Runway 29 (standard).

Setting

Existing Uses: vacant /undeveloped
Site Area: 7.21 acres

Discussion

Section 4.4.2.6 **Gross Land Area** states, "When the area of a referred action or project abuts a street right-of-way, "gross land area" may also include those portions of the right-of-way which lie between the boundary of the referral area and the centerline of the right-of-way." In using this measurement technique allowed by the ALUP, the maximum number of dwelling is limited to 98 dwelling total. According to preliminary plans, 78 dwellings are proposed in a combination of 1, 2 and 3 bedroom units. However, there is some clarification needed regarding the calculation of "Gross Land Area" and including Rail Road right -of- way in that Gross Land Area. Section 4.4.2.6 specifically refers to "street right-of-way". The area in question amounts approximately 1 acre, which could, depending on your Commission's determination, equate to a decrease in 12 dwelling from the 98 dwelling initially calculated and an allowable maximum of 86 dwelling units. Since the applicant has proposed 78 dwelling units, the decrease may have no effect; however the clarification of this point is significant for review of future proposals.

Recommendation

Staff advises your Commission to determine that the proposed General Plan Amendment and Rezoning be found consistent with the ALUP, because the maximum number of people per acre for residential development set by the ALUP, will not be exceeded.

Consistency Requirements for Humbert Avenue Affordable Housing Project

The following are required as part of the determination process by the ALUC. All future and associated development with the "Humbert Avenue General Plan Amendment and Rezone" are required to meet all requirements set herein and all other applicable ALUP regulations.

1. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) will receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area.
2. The maximum residential density allowed is limited to 86 dwelling units total.
3. Avigation easements will be recorded for all properties involved in the proposed development.
4. If a revision of the subdivision proposal occurs and the size of a lot exceeds 3 acres or is the subdivision does not take place and the parcel is built out as a single site, the maximum Single Acre Land Use Density is 120 persons per acre.

DRAFT DISCLOSURE STATEMENTS – Humbert Affordable Housing Project

For Lease, rent or purchase – This would be part of a list of General Disclosures that would be signed by the lessees, renters or purchasers in order to open a contract for sale.

The purpose of this disclosure is to give you information, which may affect your purchase. You should independently verify the information herein.

VICINITY TO AIRPORT. Buyer and renters understands that the Project is in the proximity to the San Luis Obispo County Regional Airport and that the Airport is approximately 8,800 feet from the project. The Project is within the Airport Safety Area S-2 of the Airport Land Use Plan. The Buyer understands that the property may be impacted with noise, vibration, and safety issues from the Airport operations and/or by the operations of aircraft using the airport.

OVERFLIGHT OF PROPERTY. The Buyer/Renter understands that the property is subject to a Recorded Avigation Easement and is subject to over flights by aircraft using the San Luis Obispo County Regional Airport.

All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) regarding the property and projects known as the Humbert Affordable Housing Project will receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent or otherwise occupy any property or properties within the airport area. The following information is provided to disclose the information listed above:

1. The project is located within 1.5 miles of the San Luis Obispo County Regional Airport.
2. The project is located directly below portions of FAA-designated traffic patterns that will be followed by aircraft departing from and approaching to land at the San Luis Obispo County Regional Airport.
The site, therefore, may be subject to noise and vibration from aircraft flying at relatively low altitudes and 24 hours per day aircraft operation.
There is no required minimum altitude for aircraft that are taking off from or approaching to land at an airport.
3. Because of pilot training activities at the San Luis Obispo County Regional Airport, the site may be subjected to repetitive overflight by student pilots practicing take-offs and landings in fixed-wing aircraft.
There is no required minimum altitude for aircraft that are taking off from or approaching to land at an airport.
4. The nearby Broad Street corridor is a designated practice area for training of helicopter pilots. This site, therefore, may be subject to repetitive overflight by helicopters at low altitudes and to the noise and vibration associated with such

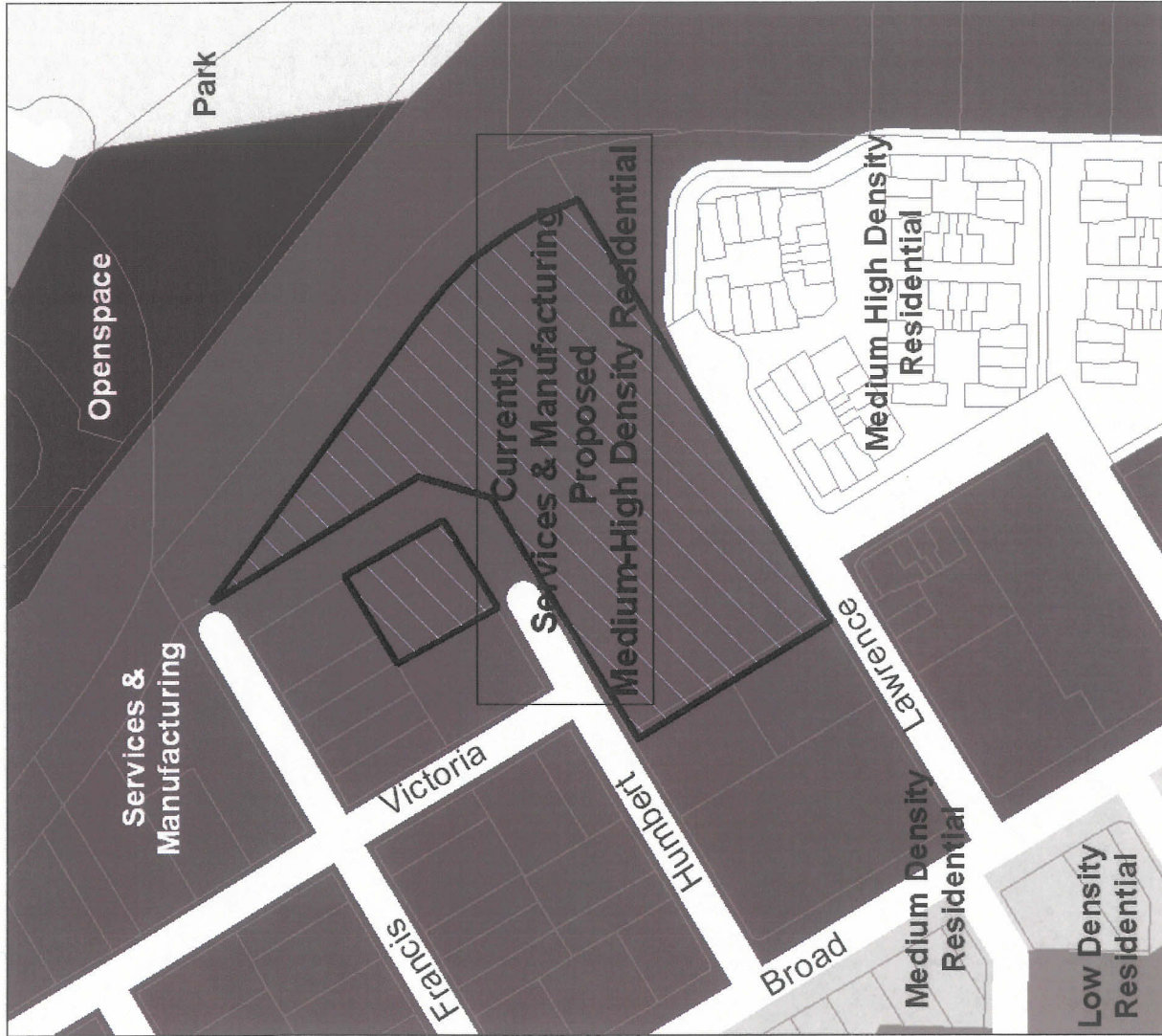


General Plan Amendment and Rezone (Manufacturing to Medium
High Density Residential)



The City of SLO is in partnership with the Housing Authority to develop this property. The strip to the West of the property, highlighted in a lighter color is City owned and will be developed in conjunction with the residential development, as a bike/ped trial. It is also calculated into the total site area.





General Plan Map
GP/R/ER 27-06
850 and 861 Humbert

Legend

Low Density Res	Service & Manufacturing	Park	Medium Density Res
Medium Density Res	Open Space	Public	Medium High Density Res



VICINITY MAP GP/R ER 27-06

851 and 860 Humbert

3-9



Site is located in Area S-2 where 12 dwellings per acre is allowable

Figure 3
AVIATION SAFETY AREAS



Airport Safety Areas

Barreny protection zones

Safety Area S-1a - Areas with aircraft or low-level aircraft operations at less than 500 feet above ground level which are located within 250 feet of extended runway boundaries and within 3000 feet of a runway and

Safety Area S-1b - Areas within gliding distance of prescribed flight paths for aircraft operations at less than 500 feet above ground level, plus additional safety areas, and other barrier zones and other safety areas for each runway

Safety Area S-1c - Areas not included in Safety Area S-1a or S-1b, but adjacent (within 0.5 mile) to aircraft operations at less than 500 feet above ground level

Safety Area S-2 - Areas with aircraft operations at 501 to 1000 feet above ground level

